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Speech of Hon. James H. Harris

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SPEECH
OF
HON. JAMES H. HARRIS
ON THE
MILITIA BILL,

*Delivered in the North Carolina House of Representatives
Monday, January 17th, 1870.*

(From the N. C. Standard's Phonographic Reports, LAWRENCE HAGARTY, Phonographer.)

The House of Representatives met on Monday the 17th January, pursuant to adjournment.

The bill to Secure the Better Protection of Life and Property, being made the Special Order for Monday at 10½ o'clock, A. M., was taken up at that hour.

The question being upon the adoption of the amendment offered by Mr. Malone, namely, to strike out in section one the words "to declare such County in a State of insurrection."

Mr. Harris then said :

MR. SPEAKER :—I ask the attention of the House this morning while I shall endeavor to give some of the reasons why, and why I think, that the amendment offered by the gentleman from Caldwell ought not to pass, and also the reason why the bill as it now stands, amended with the feature that is generally known as the *habeas corpus*, stricken out, (thereby rendering it far less objectionable) ought to pass.

Mr. Speaker, there is not a gentleman on this floor who, in the absence of all party prejudice, who, in his cool, calm and deliberate moments, allowing himself to be governed by considerations promotive of the interest and prosperity of all classes of the citizens of North Carolina, who would not say in his heart, who would not say in his conscience, who would not say before his God, that this amendment to the Militia law of North Carolina is not necessary for the protection of the lives, property, liberty and sacred honor of the men, women and children of North Carolina.

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There is not a member on this floor, in the absence of party considerations, who would have the interest of North Carolina, who would have the interest of the entire people of this State at heart, as well as the adopted citizens thereof, who would not say that something was necessary to be done, that some measure was necessary to be passed and enforced for their security.

Mr. Speaker, I shall notice the remarks of the gentleman from Caldwell first. Every member on the floor knows full well what he delivered on the subject on Friday. He characterized the bill rather as being designed to place absolute power in the hands of the Executive of the State for the purpose of carrying out, as he said, despotic measures. Now, Mr. Speaker, I believe that section, which the gentleman from Caldwell seems to have so much objection to, provides that whenever it is necessary that the Militia be sent to preserve law and order and execute the laws in any County, the expenses of the militia shall be raised by taxing the property holders of that County. That is the great objection, and I ask now is it consistent, is it right, is it just, is it proper, that in six Counties of, I will say eighty in the State, the law cannot be enforced, where riot, murder, assassination, bloodshed and death holds high carnival and the authorities are set at defiance.

I ask is it right that these seventy-four Counties should be taxed to pay the expenses incurred by the lawlessness and outrages committed in six or seven other Counties. I say not. It is but just and proper and right in any one County where assassination, murder and bloodshed are encouraged when innocent and inoffensive citizens are scourged, shot down, and hanged by the neck until they are dead.

Where this lawlessness and these assassinations are encouraged for purposes of political power and aggrandizement. I repeat it is absolutely necessary that measures should be passed to enable the Executive to put down such a state of things and I say such men and such Counties should be taxed, and I believe the most effectual method is to reach their pocket first; and I tell you, Mr. Speaker, those Counties where this state of

wrong prevails—Lenoir, Jones and Orange and others—would be taught a salutary lesson and would come to very different conclusions when they find that they have to pay all the expenses attending such a state of affairs.

It is nothing new to North Carolina. I assert it here, we have upon our statute book a law of the very character of the objectionable section in this bill. We have a law that is similar in character, only that it is specific and refers but to one class, while the bill we are about to enact refers to a party that ignores all law and order.

I will read it. I would call the attention of the House to chapter 70 of the Revised Code of North Carolina, section 83, it reads thus:

When there may be outlawed or runaway negroes, committing depredations, or in any way alarming the citizens of any County, or where the guarding of a jail is necessary, three Justices of the Peace, certifying the same in writing, and requesting the officer in command of their County such officer shall effect the object set forth in said request of the Justices, and the expenses of the militia so called out, shall be paid by the Court of the County, who may lay a sufficient tax to pay said militia, at the same rates as the regular troops of the United States are by law entitled to, when in actual service.

Now mark! that law is on your statute book, and is perhaps thirty-five years old, providing that in Counties where lawlessness prevails, the same County shall levy a sufficient tax upon the property of that County to pay the expenses of the militia. Here is a law almost as old as the gentleman from Caldwell himself, and the only difference in it, as I said before, was that it referred to an inoffensive class, namely, free negroes, while the other referred to a very different class of citizens.

I believe you will all agree with me that every class of men who disregard the law ought to be punished, and if in those times it was necessary to levy a special tax upon Counties to support the militia, and they found it right and wholesome why is it not right and wholesome now? Why have not these

gentlemen found it out before this, that during the last thirty years it was tyrannous and oppressive to the people of the Counties to pay this lawful tax levied on them.

Every good citizen joins me in saying that every class of citizens that disobey the laws of the land ought to be punished.

It goes still further, the militia of the State, both officers and soldiers, when in military service of the State, shall receive the pay and rations of soldiers in the military service of the United States that in the event of any officer refusing to discharge his duty when called out, he shall be fined, he shall be imprisoned, and yet that law has been in operation perhaps thirty years and never been found objectionable until it is proposed to make that law practicable in some insurrectionary Counties.

Now, Mr. Speaker, the gentleman from Caldwell says why don't Justices of the Peace call for the militia. Now Mr. Speaker, I assert here, and I challenge successful contradiction. I say here, that in the County of Chatham, the County of Orange, the Counties of Lenoir and Jones, and certain districts in the County of Alamance, magistrates are afraid to issue warrants and arrest those murderers.

They have been threatened for defending those defenceless negroes that is the reason why the Justices of the Peace are deterred from doing what they ought to do.

The gentleman from Caldwell says that we ourselves, the Republican party, in passing this militia bill, are stirring up strife between the white people of the State, and the negroes of the State, but this is what the gentleman and his party advocate to-day. He is the same white political non-descript, he belongs to the Democratic party. He prides himself on his old Whig blood. And yet he says, Mr. Speaker, that there is a party in North Carolina who are stirring up strife and arraying the whites against the blacks, it is that corrupt, cowardly hearted party with which the gentleman acts on this floor, and which stands by the machinery of the devil, the Democratic party of North Carolina.

And what is my evidence for it? The gentleman from

Caldwell, with that chief corner-stone of the arguments of Democratic orators on the stump, namely, that of negro inferiority and the attempt of the Republican party to place them over the whites in North Carolina. Every paper that is published by them on the one hand, have these arguments as their corner-stone, and they refuse to publish anything that would do him justice on the other. Yes, these party papers have their columns filled with articles seeking to palliate and defend this band of midnight assassins who are whipping the poor colored man and the poor colored woman ; who are hanging them by the neck until they are dead, without giving them the trial by jury ; and these men come here and say because we wish to pass a law to protect these innocent, inoffensive citizens, and to arrest those blood-thirsty and cowardly assassins, they say we are endeavoring to array the whites against the blacks. I don't believe you can find a single colored man in this State that is an enemy of the white man because he is white, or an intelligent white man, a manly white man, a decent and an upright white man that hates the black man because he is black. Not one. I do not believe there is any such feeling in this State any further than is sustained by political considerations. Is that the feeling of the Democratic party on this floor ? I will not say.

The gentleman from Caldwell says that the Democratic party did not entertain this feeling. I would ask that gentleman, or any member on the floor, to point out a single paper—a Conservative paper—a Democratic paper—that has not demonstrated their antipathy. I defy these gentlemen to point out a single instance where black men have committed depredations, that they have not been punished for it. But how many, how numerous are the outrages committed on black men by murderous and lawless men ? The outrages in Chatham will answer ; the outrages in Orange will answer.

Another thing, Mr. Speaker. It has been the aim of the papers of the Conservative party to place the colored people in a false light before the whole people of the State, and when correctly informed on any subject, they refuse to make that

correction. I will give you one instance in the City of Raleigh. There is a paper published here known as the *Sentinel*, the great luminary of Conservatism in North Carolina, around which the lesser luminaries gather. At one time it became necessary, as the Governor thought, to send a few militia to the upper part of this County. They were colored militia, officered by intelligent, respectable white men. They were stationed at a house where some outrages had been committed. And, sir, we find that the *Sentinel*, day after day appealed to the whole people of the State not to submit to these outrages; that the Governor had usurped the authority of placing negro militia over the white men of North Carolina; that he went so far towards placing them over the heads of the white people. He said those negro militia were entering the houses of inoffensive white citizens, and were insulting their wives and daughters.

In the *Sentinel* of the 9th of November, it says we were informed yesterday, by a respectable citizen of the County, that on Thursday night last, a negro militiaman went to the house of a widow lady in the vicinity of the camp, and forcibly dragged her daughter, a respectable young lady, to the woods, and there violated her person in a most brutal and shocking manner. Now, Mr. Speaker, the Conservative papers of the State copied this article, who pretended to believe that the Governor was actually sanctioning the commission of rape upon white women in the County of Wake. The Adjutant General sent for the Editor, I saw him down in the Chief Secretary's office the next day. The Governor saw him and two gentlemen from the neighborhood, Conservatives, said that this thing was false from beginning to end.

The Editor promised that he would make that correction, that he had done the colored people a great injustice, and yet the very next day the only correction the Editor of the *Sentinel* made, I will read the correction that was made after publishing all through the State this libel on the negro militia. People from that section declared it was a lie from beginning to end. White people who came from that section four or five

days in succession felt indignant at the article, and said they never heard of it until they came here to Raleigh, and here is the correction in the *Sentinel* of the 10th:

"We have received from Adjutant General Fisher a copy of the act of the General Assembly in regard to the organization and employment of detailed militia but have been too closely employed to look into it. We shall refer to the act and matters connected with it perhaps to-morrow."

After having published one of the most false and malicious articles against unoffending colored men in the discharge of their duties, after having appealed to the prejudices and passions and self-respect of the white people of North Carolina by misrepresenting the colored militia in the discharge of their duties, they refuse to give them the benefit of a contradiction when respectable white people in that neighborhood declared it was false from beginning to end. He gave neither the name of the negro who committed the outrage, nor the white woman on whom it was committed. I say now, Sir, if there be any ill feeling, if there be any array of the whites against the blacks, or of the blacks against the whites, it is attributable to the Conservative party alone. Now, Mr. Speaker, it is clear that the Conservative party do endorse these outrages—every honest man believes that they endorse them.

I cannot believe that the gentlemen who represent the Conservative party on this floor, and they being mostly inexperienced politicians, that their hearts are young and tender and honest, and aside from party compressions and party considerations, they would not push themselves forward in the advocacy of crimes, in the encouragement of assassinations, murder, bloodshed and death in the land. Do they represent the convictions of those men who, ten years ago, put their State in conflict with the great power of the United States, of those men who are encouraging these murders and assassinations, and shooting down and hanging poor defenceless innocent colored men, and who would break the Constitution asunder if they had the power, and would wage another war to-day against the government of the United States?

Reconstruction is a fixed fact, and that conflicts between the two sections of country is forever over. I don't so understand it. I would to God it was so. The struggle between the lawless assassins, between the cowardly band of murderers and peaceable unoffending and law abiding citizens of North Carolina is not over. It is nothing more than the reflex of the sentiments of the disappointed political aspirants who are aiming to obtain a political power over the dead bodies of defenceless men, women and children.

The gentleman from Caldwell has told us to strike out and adopt his amendment. He admitted here on Friday that the adoption of the bill would not amount to anything. That is his words and I agree with him, but his object is to defeat it and for the purpose of saying to the colored men you elected a Republican Legislature, you elected a Republican Governor, you have a two-thirds majority in your House, and yet they failed to protect you, but we promise to do so in the next contest. Come and go with us, we will put down these outrages and protect you.

That this is their object, Mr. Speaker, it is too apparent to be denied by any man. The gentleman wishes to know why are not these outrages referred to a grand jury, that is one of the most absurd arguments. You may ask any of the Solicitors in any one of those Districts where those outrages have been committed, and he will tell you that he sent these cases to the grand jury, with proof positive, and the parties were always enabled to prove an *alibi*, and with a jury and witnesses in sympathy with these desperadoes, to refer these cases to a grand jury is a perfect farce in those Counties where these desperadoes have control, as they seem to have in Jones, Lenoir and Alamance.

Now, Mr. Speaker, I think I have shown that we have a law on the statute book equal in power to the one proposed to be enacted, only that it refers to a special class, that of the free negroes, and in this case it refers to all citizens, black and white, that is the only material difference.

Mr. Speaker, I have said that there is an organized element

in this State whose object is to subvert the present State government. I have said there is an organized element. I don't care what they call it. But there is an organized element whose chief object is to intimidate the colored people and drive them to support themselves and their party and defeat the Republican party in the coming elections and to subvert the present State government; and why do I think so? Take the history of the outrages in the different counties, and what do we find? Where you find one white man who has been outraged who is a Conservative, you will find hundreds that were Republicans; and wherever you find these colored men outraged and murdered, you will find without exceptions that they were prominent colored men in favor of schools and in favor of the Republican party; and where white men have been whipped, their heads shaved, and their backs lacerated, as it has been done on many occasions, it was because these white men were in favor of establishing negro schools. These are not empty assertions but facts, which I am prepared to prove.

I will commence by noticing the outrages in Chatham County first. The gentleman who is so strenuously opposed to the bill will take his notes. In Chatham County a colored woman was taken by a party of Ku Klux, and stripped of her clothing, and whipped, and her back lacerated frightfully. The woman came to Raleigh, and exhibited her scars to the authorities. This band went to her house and dragged it down, and threatened to take the scalp from her head. I ask the attention of the House while I go through this chapter of blood and murder, to show that that there is an organized band.

Here Mr. Harris was interrupted by Mr. Downing, who said that a lady, (Miss Dix) who was widely known in this country as a philanthropist, was now in the Governor's room, and he thought it would be a mark of respect to invite her to a seat on the floor, if she wished. He therefore moved that the Speaker appoint a committee to invite her to a seat on the floor.

Messrs. Downing, Durham and Moore, of Chowan, were appointed a committee for that purpose.

Mr. Speaker, I will pledge you my word that I will say nothing unbecoming in the presence of this distinguished philanthropist, and my reason for doing so is that a sense of shame and propriety prevents me from proving these unspeakable atrocities, murders, and afflictions committed on the innocent and defenceless in the presence of such a distinguished philanthropist. I am ashamed in the presence of the humane and benevolent, to let them know the crimes and outrages that are perpetrated in their midst, here in the good old State of North Carolina.

But while I have the opportunity, I will say a few words in illustration of these wicked atrocities.

On October the 22d, in Chatham County, Luke Wilson, a colored man, was dragged out of his house and beaten nearly to death; and do we find for what? Simply for being a Republican and a man in favor of negro schools, in favor of the education, advancement and progress of his race.

On September 16th, —, a colored man and his wife were also severely whipped and abused. We find again, that —, a colored woman was dragged from her bed and severely whipped only because her husband was a prominent Republican in that section of the county.

On September the —, we find that Atkins, he and his wife, were dragged from their bed and also severely whipped. And all this catalogue of crimes and outrages are perpetrated in Chatham County, and yet some gentlemen would have us to believe that law, order and peace prevail in Chatham County.

I shall now refer to Forsythe County. Thomas Bailey, an inoffensive colored man, a party of the Ku Klux went to his house and dragged him from it, tied his hands, took out a ball, an instrument of torture, and put it in his mouth, stripped him, tied him hand and foot, put his hands and head under the fence, fastened the ball in his mouth with iron spikes and whipped him nearly to death. These are facts and not exaggerations. These parties were arrested and brought to trial. They held their trial before one J. L. Johnson, a Justice of

the Peace, and that Justice of the Peace bound these murderers over to Court, and the jury refused to find a true bill against these men, although they had the ball still covered with the blood that had been drawn from the roof of the mouth of this colored man. And yet we are told that all is peace and quietness in North Carolina.

[Here Mr. Harris was interrupted by the member from Forsythe stating that he was informed on undoubted authority that the parties connected in this outrage were indicted but there was not sufficient evidence to convict them, but several parties were bound over to the peace in this case.]

Mr. Harris, I am glad the gentleman from Forsythe has informed us so; he has only confirmed what I have said, that the work of bloodshed is going on in the good old County of Forsythe. I tell you, Mr. Speaker, that is one of the reasons why those parties have not been prosecuted. These blood-thirsty scoundrels persist in their work of blood and murder—scourging, whipping, hanging, shooting, committing every cruelty and indignity possible for damnable fiends to commit on defenceless and unoffending men, women and children, and yet I have to learn of the first single instance where one of these villians has been convicted.

Mr. Speaker, any man who should have heard of the testimony given before the Court in the City of Newbern would not need any further demonstrations and proofs of the iniquity and fiendish purposes of this damnable organization. It was clearly proved on the testimony of this witness that whoever belonged to the Ku Klux Klan, it was positively declared, that the moment he joined the order his oath bound him to take the life of his father, his mother, his brother, his sister; yes, his whole family if it was necessary to advance and carry out the designs of this wicked and infernal organization. Furthermore, he tells us that when any of the party were arrested and brought to justice the Ku Klux would hang around the Court House that they might be picked up and placed on the jury, and were solemnly sworn to release the scoundrel that was brought before them. Oh !

what a state of things. How could you expect to get a conviction, how could you expect to get justice. I tell you, gentlemen you might as well arraign the devil before his angels—you might as well descend to the lower regions and arraign Lucifer the prince of devils and swear his imps on the jury with more prospect of obtaining justice than to swear those bloodthirsty murderous and unprincipled, damnable imps of hell on a jury to try their compeers in assassination, bloodshed and destruction. You cannot do it, it is impossible, and that is one reason, and I think a grand and primary one, that this militia bill should at once be made law and afford to all persons, black and white, Democrat and Republican, foreign and native, that security and protection so necessary, so essential, at the present time, to their lives their property and their very existence.

It is provided in the 4th section that the Solicitor shall have the power to move the trial of the offender to a County in which no citizen interested in the matter, any further than the maintenance of law, the preservation of order, the protection and security of the lives and property of the people, and the dignity of the Commonwealth of North Carolina, can be taken on the jury. That is one of the reasons I am in favor of the bill.

But to return to the scene of cruelty and bloodshed in Iredell County. On December last a party of disguised villians went to the house of a colored man, dragged him away and severely whipped him—for what? For nothing more than being in favor of negro schools; within six miles of Statesville, and whipped him nearly to death. That is what he is whipped for, and yet we are told that peace and order prevail in North Carolina. Now, sir, the same night that this cruel act was perpetrated these very same villians rode by another man's house for the purpose of gratifying their develish spleen on another defenceless man; his son went to the door to open it and these devils, in human flesh, without the slightest consideration of mercy fired volley after volley of bird shot into his face, and told him never to let them hear him again mention

a word about negro schools; and yet we are told by gentlemen on this floor that peace and order prevails in North Carolina and everything is going on smoothly and tranquilly among us. I come now to the County of Wake. Last month a colored man six miles from this Town was taken from his bed and a colored woman also, and severely whipped. And here I will remark that Mr. _____, living seventeen miles from this Town, a magistrate, was actually afraid to issue a writ and came to Raleigh and requested the Mayor to issue the writ and three of the party were arrested and are now bound over to appear at the next term of Court. The other two were arrested in Chatham from the fact that this County had no jurisdiction over them. Still we are told that we have peace and quietness in North Carolina.

Now, sir, I could not rehearse this chapter of murder and bloodshed in two years, but, Mr. Speaker, I must say a word for the great County of Orange in this catalogue of crime and outrage. I do not intend to spend much time in the rehearsal of this calendar of wrong and outrage done to the innocent and unoffending in connection with this County, but here let me say, Mr. Speaker, that a colored man who was a minister of the Gospel, in December last, in Johnston County, was dragged from his own house and severely and unmercifully whipped, he made his escape and came to the City, and the only objection against him was that he established in that County a negro school and negro Church. I state this on the authority of a gentleman of unblemished character and honor in the State. And here let me say, Mr. Speaker, if gentlemen will allow me for a moment, that I know the colored men, and the poor white people also, in that district are afraid to make known that these outrages have been committed.

I will now come, Mr. Speaker, to the County of Orange, and I ask the indulgence of the House while I make this statement of facts without qualifying them one way or the other. Now, Sir, in Orange County, October 11, 1869, Mr. A. King, a white man, a party of men went to his house. He was not at home. They left word with his family that they would put

twenty-five balls through him if they heard any thing more about him making a petition to the Governor about sending militia to that County.

On October the 11th, a party of the same disguised miscreants went to the house of another colored man, Madison Munn, in Orange County, and he being absent they told his wife they would blow her brains out if she would not tell them where he was. They gave her a severe whipping and otherwise abused her.

On October the 11th, again we find the same night they went to the house of Samuel Neville, and took him out, gave him a severe whipping, put a rope around his neck and lead him on, they riding on horseback, to a considerable distance in the woods, stripped him of his clothing, and gave him twenty-five lashes. All this in the great County of Orange.

October the 11th, Henry Hinton, a colored man was taken out of his house and severely whipped for no other offence than that of being a loud-mouthed nigger of Republican principles.

Paul Hinton, a colored man, was taken from his house and severely beaten, but he broke and run and was shot at several times, his offence being (as they thought) belonging to the Union League.

Perry Haughton was dragged out of his house, beaten and kicked until he was nearly dead and ordered to leave the neighborhood or he would be killed.

This statement of bloodshed and crime was made under oath to the Adjutant General of the State, either by persons thus abused, or by some friend who came here to give the information, and gentlemen who have the slightest doubt of this truthful assertion, I will refer to the Adjutant General's office for the proofs.

(Question by Mr. Argo, of Orange. I would like to enquire whether the names of those persons who give this information can be obtained at the Adjutant General's office?)

Mr. Harris. I will say, Mr. Speaker, that in some cases the Adjutant General can furnish the names of those parties, but in other cases he has them privately, and therefore it would be a

breach of confidence and trust to divulge the names. And one reason that these parties refuse to give their names, is from the fact that they consider themselves unsafe in the community in which they live, but in most of these instances the parties names can be obtained at the Adjutant General's office.

I know, Sir, that every member on this floor, who is familiar with the history of these midnight assassinations, know that no good white man dare venture to disclose all these cases of crime and murder publicly, their lives would not be safe and live in the midst of such merciless and vindictive fiends.

On the 16th of November the house of a colored man was broken into, his gun taken and broke into pieces, and he threatened to leave the neighborhood.

Dallas, a white man, and John Smith, a white man, had their heads shaved and were both severely beaten in Orange County. Here we find that even white men did not escape these bands of marauders. About the same time two colored men were taken from Orange County jail and shot without mercy, one of whom has since died, if not both. I heard the gentleman from Orange remark, let the law take its course in response to what the gentleman from Forsythe said. We have an instance in his own County where two negroes were accused of crime and were committed to the prisons of his own County, and the Ku Klux should get sufficient force and seize these poor colored men from the law officers, defying the authorities of the law and actually overpowering them, and shot these poor defenceless men without the slightest regard for mercy or law. The law officers of the County of Orange are powerless to execute the law while these armed bands of midnight assassins have control of this County.

The County Commissioners of Orange, if their statements are true, are completely at the mercy of this unmerciful band of marauders. I have yet to learn if there has been even a single conviction there, and yet that County stands to-day with its history written in the blood of murdered, unoffending and defenceless men and women, and yet we are told there is no use for the militia bill where crime holds high carnival in no

less than five Counties of the State. But there is a power behind the throne greater than the throne itself. There is a power behind the authorities of Orange County greater than that power itself, which will exert itself at a seasonable time. When the fruit is ripe then it shall be plucked.

I will give you a few more instances of these outrages in connection with Orange County. On October the 14th, A. Peck, a colored man, was taken from his house and severely whipped, and a party of these men broke down the door and windows, and took out Mr. ——, and whipped him severely. For what? For no other crime than being a loud mouthed radical. And yet not a soul has been arrested, nor no attempt made on the part of the authorities of Orange County to arrest one of these murderers. Also, on October the 14th, a man and a lady, both white, were whipped and otherwise severely maltreated. A man and his wife, both white, were taken out and whipped, and yet there has not been a single person arrested, nor no attempt made to arrest them. No, not a single conviction in Orange County, where assassination and bloodshed hold high carnival. Stone Alston, a colored man, and his daughters were severely whipped just before Christmas. And one colored man and his daughters were severely whipped on their plantation. All this was done just before Christmas. On December the 19th, Bealey Neill, aged 55 years, living South-west of Hillsboro', after severely whipping him, (with their knives and pistols drawn,) took their Bowie knives and shaved off the hair from his head, and, in some instances, took the skin off with it. It may be said that this man is a notorious character! Is not the law sufficient to try this man? Is it right or just that mob law should prevail in Orange County or in any other County of the State? If this man is a notorious character, why not let the officers of the law arrest him and punish him according to the laws of the State, and not according to mob law! Welker, a white man; a party of men went to his house and gave him thirty-nine lashes! A party of men went the same night from Guthrie's mill, visited the houses of the colored people on New Hope creek, destroy-

ing all the guns they could get hold of. It is known, up to the present, that upwards of thirteen guns have been taken and destroyed by this miserable cowardly band of thieves and murderers.

Now, Mr. Speaker, on Monday night, September the 6th, (and this one more instance and I am done in Orange County,) on September the 6th, near a Cotton Factory, a colored man named Malone was burning coal. While he and his men were attending to their own business at the kiln, a party of these Ku Klux visited him and enquired for his son, and this old man, trembling, pointed out his son to them without even being informed of his offence. These miserable wretches tied his hands behind him, and surrounded by five armed men, he was told if he moved he would have his brains blown out. (The old colored man came here to Raleigh, and not only has he made this statement, but it has also been made by other parties, and is now on record in the Adjutant General's office of the State.) They took this colored man and led him away, no one knew where, until found Friday afternoon by a white man hanging in the woods, dead, by the neck. I suppose he had been hanging there from Monday night until Friday afternoon. But one more instance and I will certainly have done with Orange County. A colored man aged thirty, and another aged forty-five years were taken and hanged dead by the neck. Now, Sir, on October the 18th, here we find two colored men taken by the Ku Klux Klan—by a party of disguised murderers—and without giving them a shadow of a trial by jury, they were hanged in the County of Orange until they were dead by the neck, and a label put upon their backs forbidding any body to take them down until Thursday, three or four days afterwards.

Mr. Speaker, these are facts upon which I challenge successful contradiction. These are undeniable facts that these colored men were unmercifully hanged, and that not a single man ventured or dared to take these black men down until they were found there by an officer of the United States. These are facts that cannot be contradicted, and yet we are

told that it is not necessary to enact a militia law in North Carolina.

I come next to Jones County. In Jones County three colored men were taken out and shot, and, so far as I have learned, not a single attempt was made to arrest anybody by the authorities of that County. Not one attempt was made to bring these murderers to justice. I will turn from that County and show you a more bloody picture of outrage and death in Lenoir County. You all remember Kingston bridge, where eight defenseless colored men, on one dark and rainy night, were taken from the jail, shot in cold blood, and thrown into the Neuse river. Just think of it. Just meditate on it. Here is a state of peace and quietude. Gentlemen would have us believe, in the good old State of North Carolina, these villainous murderers, accused of these horrid crimes, have never been tried or convicted. Eight human beings taken forcibly from their place of incarceration, taken out of the hands of the law, shot in cold blood, and their bleeding bodies thrown over Kingston bridge into the waters of the Neuse river, and not one of these fiends incarnate have ever been brought to justice. And yet we are told by gentlemen on this floor that it is not necessary to enact a militia law, that it is not necessary to pass some measure for the protection of our lives, liberty and property. Yes, for our very existence.

I might cite outrages, many and frightful, that have been committed in other counties, but I have grown sick and disgusted in rehearsing this record of bloodshed, murder, persecution and death inaugurated in North Carolina. In reply to the gentleman from Iredell, (Mr. Nicholson,) I will say that I cannot again take up the time of the House in rehearsing the long catalogue of crimes and bloodshed—giving names and dates where parties were shot, whipped, and hanged by the Ku Klux Klan. I would direct the gentleman from Iredell, (Mr. Nicholson) and others to the office of the Adjutant General, where they could see on record the evidences of the commission of the outrages to which I have alluded. Admission this morning was made by Mr. Argo that men had been taken

from the Hillsboro' jail and shot and hanged ; and yet, in the face of these records, and this admission, the gentleman (Mr. Nicholson) declared that the only evidence of the commission of the outrages was mere assertion. As to the diatribe against the Union League, I will challenge any man to produce a single instance where the League—as a League—sanctioned and encouraged the commission of acts of violence. I avow my determination to go to Chatham and Orange and other Counties and advise the colored people how to act in the premises. I have always counselled peace, but will say that if Conservatives expect to drive the colored people into a support of their party by a system of intimidation, they will be mistaken. The colored man will not always submit in silence to wrongs. All history shows that when illiterate men are roused to desperation by acts of oppression that their vengeance is terrible. I would say also, Sir, to these bitter leaders of the Conservative or Democratic party they should desist at once ; I fear they are agitating a volcano, which, should it happen to explode, I fear they cannot control the lever as easy as they imagine. As for this conflict of races of which so much has been said, I have no fears of that at all ; if that is what the Conservatives are seeking, I will tell them that the General Government will not suffer any one race to wage war upon another. Those who are wicked enough to attempt such a thing will be crushed by the strong arm of the Government. Conservatives might as well understand that colored men can not and will not be driven into a support of the Conservative party. It can not be expected that colored men will stand idly by and see men of their race hanged and shot down in cold blood. The Conservatives might as well at once abandon their system of intimidation, such as was being practiced in Orange and Chatham. The men who have governed those Counties for thirty years, have, thus far, refused to say a word or write a line of condemnation for the acts of violence committed in those Counties. I expect to support the great principles of the Republican party, though I by no means mean by this that I will vote for every Republican.

I ask in the name of the law-abiding and peaceable people—I ask for the sake of the good name and fame of this Old State—I ask in the name of the outraged and defenceless class of citizens who are suffering untold persecutions and death by this lawlessness—I ask in the name of the people of North Carolina—I ask in the name of Heaven itself, that we all unite, that all truly good and law-abiding citizens unite, that every man who has the interest, prosperity and progress of North Carolina at heart, to unite in the determination to preserve the lives, property and the liberties which this Constitution, baptised in the blood of brave men, has guaranteed to us. There is no question about the purpose and intention of this organized band in North Carolina. It is not because these wicked men have any personal antipathy against the colored men, but it is a fixed, well matured and deep laid scheme, to intimidate the colored voters, and demoralize the Republican colored voters, that these political aspirants may once more arrive in the power of North Carolina. I would ask, gentlemen, in the name of the good old State—I would ask, gentlemen, in the name of the entire people of North Carolina, to ponder, before they go forth and proceed to prosecute an unfortunate and inoffensive class of men. It has been alleged, Mr. Speaker, that they have been obnoxious and offensive in the Counties of Chatham and Orange, and because of this character, they have been prosecuted and murdered. Such reasoning is illogical and false. If it is a fact, as Conservative orators, and Conservative newspapers of this State allege, is it because the colored people are so disorderly and vicious, that they are to be whipped, hanged, murdered and shot down like wild beasts? I would ask how happens it that in the Counties of New Hanover, Brunswick, Edgecombe, in short, how is it that in every County in the State where the whites are in the minority, we have never heard a single, solitary instance of these Ku Klux outrages. How is it that in those Counties where the colored people predominate, they do not commit these wrongs on the white race? How is it that they never commit these outrages? How is it that they never commit

those deeds of murder and bloodshed? But that is never the case, and I challenge successful contradiction when I state that there is not a single County in the State of North Carolina where the negroes are largely in the majority, where they are powerful in numbers, has a single white woman been insulted or a white man wronged. You cannot point to a single instance where they have committed these great wrongs against the white race. You cannot do it, gentlemen. Therefore, why is it—for what is this misrepresentation and libel on our race? It is for political effect, for we see that wherever the whites have the majority, where the negroes are hopelessly in the minority—we are told they are so offending, so obnoxious, they are so vicious, that whites have to resort to the bowie knife, to the pistol and to the rope to maintain their self-respect and dignity. I say here that it is false; that it is a miserable falsehood. I denounce this allegation here to-day, in the name of the honest, docile, and inoffensive colored people of North Carolina. I denounce it in the name of the law-abiding, peaceable but defenceless people of Chatham and Orange, and every other County where these damnable and hell-begotten outrages have been committed. Their faces may be white, but their hearts are as black as the darkest recesses of hell. I stand here as a negro, but I submit it to the honest and intelligent white people of North Carolina, that these allegations against the reputation of the colored people are damnable lies from beginning to end, and a libel upon the colored people of North Carolina. This is done for political effect to seek to intimidate the colored people in those Counties where they are equally divided, that they may carry the election in the next campaign.

A few more words and I will have done with the subject.

Sir, it is equally strange that every gentleman who is familiar with the political history of Orange County and Chatham County, knows perfectly well that three or four prominent men residing in these Counties have governed them for twenty years. Three or four leading gentlemen have governed these

Counties for twenty years—and I would ask the Representatives from these Counties, if they can deny this assertion?

Now, Mr. Speaker, I say is it not strange that not a single leading gentleman in those Counties have come forward, openly and above board, and denounced these outrages? I can call by name, gentlemen in Orange who, by writing one short letter, could put down all these outrages; but it is not done. What an example for colored men! Yet I am glad to say their conduct in this respect, is far more commendable than that of the white men of whom I complain. Here, the other day when a worthless negro murdered a man, this murderer was immediately arrested and brought to justice at the instance of black men. And I will make this assertion, that whenever a negro commits an outrage on his white brethren, the colored people are the first to have him arrested. I ask those gentlemen, who attempt to palliate the outrages of the Ku Klux, does these white brethren endeavor to have them arrested and brought to justice? No, never. What a commentary upon the character of the so-called superior white race! Here the ignorant, stupid negro, with an instinct of right, justice and humanity, seeks to bring the offender and violater of law to justice on the one hand, while the white race on the other hand, witnesses blood-shed, murder and assassination and outrage committed on a defenceless and unoffending race—they see the laws of humanity and nature outraged and do not interfere to stay the vile hand of the assassin. Oh, what a commentary! and then claim superiority over the colored race. God knows they are welcome to this kind of superiority over us.

I have but one consideration in this matter, and that is, I desire to see prosperity and peace once more preserved in North Carolina. Let us, gentlemen of North Carolina, quit this folly. Let us forget party considerations. Let us all be governed by a common feeling to advance our country, to advance the interest of North Carolina, to increase her prosperity and progress, to preserve her laws and Constitution inviolate. Let us all unite and put down these outrages, whether they are

committed by blacks or by whites—by Republicans or Conservatives—and allow every man to go to the polls to vote as they may think fit. But I know, sir, the object of the party that opposes this measure, so necessary to the progress and prosperity of North Carolina. They wish to destroy the confidence of the colored people in the Republican party. They seek to destroy the confidence of the colored people in the Republican party in the coming elections.

I have to remark on this floor that in the days of Macon, in the days of the good old fathers of this State, even in the days of slavery these old gentlemen, if they were in this House they would have certainly condemned these outrages and passed vigorous measures to suppress them. Their voices would be heard, they would make this hall ring with the sound of their voices asking in the name of justice, in the name of humanity, in the name of the blood of the defenceless and innocent, they would ask this Legislature to pass a law to protect them. I ask in the name of the good old men who once governed this State. If I had the voice and language of a Gaston, a Macon and a Badger, I would appeal to you in the name of this defenceless and outraged class whose blood has been shed, and which cries to Heaven for vengeance, but I only ask justice and I appeal to you now as men, as intelligent men, as upright, honest and just men, as human beings, to pass this measure for the protection of the innocent and for the peace, progress and prosperity of the whole people of North Carolina.

I will just say a few words, Mr. Speaker, and then I will have done. It has been hinted that the State is unable to protect these defenceless colored men. I have heard gentlemen say it. It is implied in one half of their speeches, that the Ku Klux will prevail, and in a great deal that has been written has the same doctrine been advocated. But I will tell gentlemen here, Mr. Speaker, that the colored people of North Carolina will not bear much longer the yoke over their heads. I will tell the opposition party here that if you expect to carry the colored people by persecution, by bloodshed, by whipping,

by bowie knives, by the pistol and rope, I will tell you, gentlemen, you are very much mistaken, you have to learn yet of the material you are attempting to deal with; and I will tell you that nearly every black man in North Carolina has engraven on his heart the words of the immortal Patrick Henry, "Give me Liberty or give me Death." While we are willing to submit to the laws we are not willing to bear the shackles of political slavery. If these persecutions, murders and assassinations are to continue, and the government of North Carolina is not strong enough to enforce the law, the proper authorities in Washington City will see that it is enforced, they have the power to suppress these outrages and maintain the law. If the State government is unwilling or unable to protect the weak I will remind gentlemen here that the strong arm of the United States will stand by us and protect this defenceless class of citizens and help them to overcome the domineering spirit of the party that is seeking to enslave them.

And now, Mr. Speaker, I believe that this House stands prepared to adopt this bill as it now reads. I am opposed to the suspension of the writ of *habeas corpus* but as that has been stricken out of the bill I hope that the House will pass it, that the Senate will concur in the amendments, and that it will at once become the law of the good old State of North Carolina. I believe there is moral force enough in the hands of the intelligent and honest white people, as well as with the colored people, to enforce this law.

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